

REMARKS/ARGUMENTS

In the August 1, 2008 Response, Applicant responded to the double patenting rejection advanced in the May 1, 2008 Office Action as follows:


Claim 11 stands rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 2, 4, 8 and 9 of U.S. Patent No. 5,519,014. Applicant requests reconsideration of this rejection in view of the amendments made to Claim 11.

In furtherance of this response, Applicant states as follows: Claim 11 of the present application is patentably distinct from the subject matter recited in claims 1, 2, 4, 8 and 9 of U.S. Patent No. 5,519,014. Specifically, claim 11 is patentably distinct from the claims of U.S. Patent No. 5,519,014 because that patent nowhere discloses the specific class of compounds “a 4-aminosalicylic acid or 5-aminosalicylic acid compound modified to include a 4-aminobenzoyl- β -alanine side chain or a salt thereof” as is recited in amended claim 11. Indeed, the only compounds specifically disclosed in U.S. Patent No. 5,519,014 are sulfasalazine, 5-aminosalicylic acid, 4-aminosalicylic acid, and benzalazine, none of which are modified to include a 4-aminobenzoyl- β -alanine side chain.

In view of the foregoing remarks, Applicant respectfully requests withdrawal of the double patenting rejection of claim 11, as amended.

Please charge any fees incurred in connection with this submission to Deposit Account No. 13-0017.

Respectfully submitted,



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